

Exhibit A
Deposition of Patricia Wilkerson

FREEDOM COURT REPORTING

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<p>1 IN THE UNITED STATES DISTRICT COURT</p> <p>2 FOR THE NORTHER DISTRICT OF ALABAMA</p> <p>3 SOUTHERN DIVISION</p> <p>4</p> <p>5 CASE NUMBER: 2:06-CV-0331-KOB</p> <p>6 TOMMY BARRON; et al.,</p> <p>7 Plaintiffs,</p> <p>8 vs.</p> <p>9 DERANE INGLE; et al.,</p> <p>10 Defendants.</p> <p>11</p> <p>12 STIPULATION</p> <p>13 IT IS STIPULATED AND AGREED by</p> <p>14 and between the parties through their</p> <p>15 respective counsel that the deposition of</p> <p>16 PATRICIA WILKERSON may be taken before</p> <p>17 Tanya D. Cornelius, Certified Shorthand</p> <p>18 Reporter and Notary Public, at Freedom</p> <p>19 Court Reporting, 367 Valley Avenue,</p> <p>20 Birmingham, Alabama 35209, on the 10th day</p> <p>21 of July, 2008.</p> <p>22 IT IS FURTHER STIPULATED AND</p> <p>23 AGREED that the signature to and the</p>	<p>1 INDEX</p> <p>2 EXAMINATION BY: PAGE NUMBER:</p> <p>3 Mr. Willford 6</p> <p>4 Mr. Piazza 23</p> <p>5 Mr. Willford 39</p> <p>6 Mr. Piazza 44</p> <p>7</p> <p>8 EXHIBITS</p> <p>9 DEFENDANT'S EXHIBITS: PAGE NUMBER:</p> <p>10 1 - 12-6-04 Testimony of</p> <p>11 Deponent before</p> <p>12 Civil Service Board of</p> <p>13 Walker County 16</p> <p>14 2 - 3-7-05 Testimony of</p> <p>15 Deponent before</p> <p>16 Civil Service Board of</p> <p>17 Walker County 17</p> <p>18</p> <p>19 PLAINTIFF'S EXHIBITS:</p> <p>20 74 - List of Prescription</p> <p>21 Medications 30</p> <p>22</p> <p>23</p>
<p>1 reading of the deposition by the witness is</p> <p>2 waived, the deposition to have the same</p> <p>3 force and effect as if full compliance had</p> <p>4 been had with all laws and rules of Court</p> <p>5 relating to the taking of depositions.</p> <p>6 IT IS FURTHER STIPULATED AND</p> <p>7 AGREED that it shall not be necessary for</p> <p>8 any objections to be made by counsel to any</p> <p>9 questions, except as to form or leading</p> <p>10 questions, and that counsel for the parties</p> <p>11 may make objections and assign grounds at</p> <p>12 the time of the trial, or at the time said</p> <p>13 deposition is offered in evidence, or prior</p> <p>14 thereto.</p> <p>15 IT IS FURTHER STIPULATED AND</p> <p>16 AGREED that notice of filing of the</p> <p>17 deposition by the Commissioner is waived.</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p>	<p>1 APPEARANCES</p> <p>2</p> <p>3 FOR THE PLAINTIFF:</p> <p>4 PIAZZA LAW OFFICE, PC</p> <p>5 BY Mr. Anthony J. Piazza</p> <p>6 1030 16th Avenue South</p> <p>7 Birmingham, Alabama 35205</p> <p>8</p> <p>9 FOR THE DEFENDANT:</p> <p>10 WEBB & ELEY, PC</p> <p>11 BY Mr. Gary L. Willford, Jr.</p> <p>12 7475 Halcyon Pointe Drive</p> <p>13 Montgomery, Alabama 36117</p> <p>14</p> <p>15 ALSO PRESENT:</p> <p>16 Mr. Taz Burch</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p>

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5	<p>1 I, Tanya D. Cornelius, 2 Certified Shorthand Reporter and Notary 3 Public, acting as Commissioner, certify 4 that on this date, as provided by the 5 Federal Rules of Civil Procedure, and the 6 foregoing stipulation of counsel, there 7 came before me at Freedom Court Reporting, 8 367 Valley Avenue, Birmingham, Alabama 9 35209, beginning at 11:30 a.m., PATRICIA 10 WILKERSON, witness in the above cause, for 11 oral examination, whereupon the following 12 proceedings were had: 13 14 15 PATRICIA WILKERSON, 16 being first duly sworn 17 was examined and testified as follows: 18 19 20 THE REPORTER: Will this be 11:36:1321 usual stipulations? 11:36:1322 MR. WILLFORD: Yes, ma'am. 11:36:1423 MR. PIAZZA: Yes, ma'am.</p>	7	<p>11:36:54 1 him, correct, when I talked to him about, 11:36:57 2 you know, giving verbal responses -- 11:36:59 3 A. Yes. 11:36:59 4 Q. -- and all of that? Do you 11:37:01 5 remember those? 11:37:01 6 A. Yes. 11:37:01 7 Q. Do you have any questions about 11:37:02 8 those? 11:37:03 9 A. No. 11:37:03 10 Q. Okay. One that I need to kind 11:37:05 11 of highlight here before we go on, because 11:37:07 12 you're kind of breaking it already, is 11:37:09 13 don't talk over top of me, okay? Wait 11:37:13 14 until I finish my question and then respond 11:37:15 15 if you would. Again, it helps the court 11:37:17 16 reporter get an accurate transcript. 11:37:19 17 A. Yes. 11:37:19 18 Q. Okay. I guess the first 11:37:35 19 question I have for you is: Did you 11:37:37 20 prepare a list of relatives for me? 11:37:39 21 A. No. 11:37:39 22 Q. You did not? 11:37:40 23 MR. PIAZZA: Gary, you're not</p>
6	<p>11:36:14 1 EXAMINATION 11:36:14 2 BY MR. WILLFORD 11:36:14 3 Q. Would you please state your name 11:36:15 4 for the record, ma'am? 11:36:17 5 A. Patricia Ann Wilkerson. 11:36:22 6 Q. And where do you live, Ms. 11:36:23 7 Wilkerson? 11:36:25 8 A. 110 Northwest Second Way, 11:36:33 9 Apartment One, Carbon Hill, Alabama. 11:36:35 10 Q. Okay. Is that a different 11:36:37 11 address than where Mr. Burch lives? 11:36:40 12 A. Yes. 11:36:40 13 Q. So y'all don't live together 11:36:42 14 anymore? 11:36:42 15 A. No. 11:36:44 16 Q. Did you hear the -- you were in 11:36:46 17 here earlier when I deposed Mr. Burch, 11:36:49 18 correct? 11:36:49 19 A. Yes. 11:36:49 20 Q. And you were in here and heard 11:36:51 21 all the questions that I asked him? 11:36:52 22 A. Yes. 11:36:52 23 Q. And heard the rules that I gave</p>	8	<p>11:37:42 1 going to have many. She's not going to 11:37:44 2 have many at all. 11:37:45 3 Q. You're not going to have many at 11:37:46 4 all? Then let's just go through them, 11:37:48 5 then. Do you have any adult relatives of 11:37:51 6 voting age in the northern district of 11:37:53 7 Alabama? And you heard how I described 11:37:55 8 that? 11:37:56 9 A. Yes. 11:37:56 10 Q. Basically Jefferson County, 11:37:58 11 Shelby County north is going to be the 11:38:01 12 northern district. 11:38:01 13 A. Walker County. 11:38:02 14 Q. You have relatives in Walker 11:38:04 15 County? 11:38:04 16 A. Yes. 11:38:05 17 Q. How many relatives would you say 11:38:06 18 that fit that description do you have in 11:38:08 19 Walker County? 11:38:08 20 A. I have three grown children. 11:38:11 21 Q. Is that it? 11:38:13 22 A. Well, my mother and father is 11:38:17 23 deceased, and that's the only close</p>

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<p>11:38:22 1 relatives I have.</p> <p>11:38:23 2 Q. All right. Let's approach it</p> <p>11:38:24 3 that way. What are your children's names?</p> <p>11:38:27 4 A. Timothy Scott Wilkerson.</p> <p>11:38:32 5 Q. Okay.</p> <p>11:38:33 6 A. Christy Renae Pearson.</p> <p>11:38:39 7 Q. Okay.</p> <p>11:38:40 8 A. Rebecca Ann Pruitt.</p> <p>11:38:45 9 Q. All right. Timothy, is he</p> <p>11:38:47 10 married?</p> <p>11:38:48 11 A. No.</p> <p>11:38:48 12 Q. Does he have any children, adult</p> <p>11:38:51 13 children?</p> <p>11:38:51 14 A. No.</p> <p>11:38:52 15 Q. Okay. Christy Pearson, is she</p> <p>11:38:57 16 married?</p> <p>11:38:57 17 A. Yes.</p> <p>11:38:57 18 Q. And what's her husband's first</p> <p>11:39:00 19 name?</p> <p>11:39:00 20 A. Dustin.</p> <p>11:39:00 21 Q. Is his last name Pearson?</p> <p>11:39:02 22 A. Yes.</p> <p>11:39:03 23 Q. Do they have any adult children?</p>	<p>11:40:09 1 A. E-I -- I don't know.</p> <p>11:40:15 2 E-u-l-e-n-e.</p> <p>11:40:16 3 Q. And that last name again?</p> <p>11:40:18 4 MR. PIAZZA: If I could just</p> <p>11:40:20 5 interject. I've always known the name</p> <p>11:40:22 6 Euline to be spelled E-u-l-i-n-e. I could</p> <p>11:40:28 7 be wrong.</p> <p>11:40:29 8 Q. And Euline's last name?</p> <p>11:40:30 9 A. Smith.</p> <p>11:40:31 10 Q. Thank you. Any other aunts or</p> <p>11:40:33 11 uncles?</p> <p>11:40:33 12 A. Huh-uh (negative response).</p> <p>11:40:34 13 Q. Gene and Arlene, do they have</p> <p>11:40:36 14 any adult children in the northern</p> <p>11:40:39 15 district?</p> <p>11:40:41 16 A. I don't believe they live in the</p> <p>11:40:42 17 State of Alabama.</p> <p>11:40:43 18 Q. Okay. Harold and Inez Smith,</p> <p>11:40:48 19 any adult children?</p> <p>11:40:50 20 A. Yes.</p> <p>11:40:50 21 Q. In the northern district?</p> <p>11:40:52 22 A. Yes, Jeffrey Smith and Lisa</p> <p>11:40:57 23 Edmonds.</p>
10	12
<p>11:39:05 1 A. No.</p> <p>11:39:22 2 Q. All right. And I think you said</p> <p>11:39:28 3 Rebecca Pruitt. Is she married?</p> <p>11:39:28 4 A. Yes.</p> <p>11:39:28 5 Q. And what's her husband's name?</p> <p>11:39:31 6 A. Gary Pruitt.</p> <p>11:39:32 7 Q. Do they have any adult children?</p> <p>11:39:34 8 A. No.</p> <p>11:39:34 9 Q. So you have no brothers and</p> <p>11:39:36 10 sisters in the northern district?</p> <p>11:39:37 11 A. No.</p> <p>11:39:37 12 Q. Any aunts and uncles in the</p> <p>11:39:39 13 northern district?</p> <p>11:39:40 14 A. Yes.</p> <p>11:39:40 15 Q. Who would they be?</p> <p>11:39:42 16 A. Gene and Arlene McDaniel of</p> <p>11:39:47 17 Nauvoo.</p> <p>11:39:53 18 Q. All right. Anybody else?</p> <p>11:39:55 19 A. Harold and Inez Smith of Nauvoo.</p> <p>11:40:04 20 Euline Smith of Nauvoo.</p> <p>11:40:05 21 Q. I'm sorry. Did you say Euline?</p> <p>11:40:08 22 A. You lean.</p> <p>11:40:08 23 Q. Could you spell that?</p>	<p>11:41:01 1 Q. Is Jeffrey married?</p> <p>11:41:03 2 A. Yes.</p> <p>11:41:03 3 Q. And what's his wife's name?</p> <p>11:41:05 4 A. Terry Smith.</p> <p>11:41:06 5 Q. Do they have any adult children?</p> <p>11:41:08 6 A. No.</p> <p>11:41:09 7 Q. Lisa Edmonds, is she married?</p> <p>11:41:12 8 A. Yes.</p> <p>11:41:13 9 Q. What's her husband's name?</p> <p>11:41:15 10 A. Mark.</p> <p>11:41:15 11 Q. Do they have any adult children?</p> <p>11:41:17 12 A. No.</p> <p>11:41:26 13 Q. Does Euline have any adult</p> <p>11:41:26 14 children?</p> <p>11:41:26 15 A. No.</p> <p>11:41:26 16 Q. All right. Any other adult</p> <p>11:41:30 17 relatives that you can think of sitting</p> <p>11:41:32 18 here --</p> <p>11:41:32 19 A. No.</p> <p>11:41:33 20 Q. Let me finish my question. Any</p> <p>11:41:36 21 other adult relatives in the northern</p> <p>11:41:38 22 district of Alabama that you can think of</p> <p>11:41:40 23 sitting here today?</p>

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<p>11:41:41 1 A. No.</p> <p>11:41:45 2 Q. Do you go to church?</p> <p>11:41:47 3 A. No.</p> <p>11:41:49 4 Q. Are you a member of any civic</p> <p>11:41:52 5 organization?</p> <p>11:41:53 6 A. No.</p> <p>11:41:54 7 Q. Any groups that you regularly</p> <p>11:41:56 8 meet with?</p> <p>11:41:57 9 A. No.</p> <p>11:42:01 10 Q. Do you work?</p> <p>11:42:02 11 A. No.</p> <p>11:42:03 12 Q. When was the last time you</p> <p>11:42:05 13 worked, if you did?</p> <p>11:42:17 14 A. I'm not sure. Maybe '97.</p> <p>11:42:18 15 Q. Okay. Where was the last place</p> <p>11:42:22 16 that you worked?</p> <p>11:42:25 17 A. Haleyville Nursing Home in</p> <p>11:42:28 18 Winston County.</p> <p>11:42:32 19 Q. Were you a nurse?</p> <p>11:42:34 20 A. No, laundry.</p> <p>11:42:41 21 Q. What did you do there?</p> <p>11:42:42 22 A. Laundry department.</p> <p>11:42:44 23 Q. Do you remember giving testimony</p>	<p>11:43:37 1 A. Yes.</p> <p>11:43:38 2 Q. All right. And when you gave</p> <p>11:43:40 3 that testimony, it was truthful at the</p> <p>11:43:44 4 time; is that correct?</p> <p>11:43:45 5 A. Yes.</p> <p>11:43:45 6 Q. And it was accurate to the best</p> <p>11:43:47 7 of your ability at the time?</p> <p>11:43:48 8 A. To the best of my ability.</p> <p>11:43:50 9 Q. All right. And when you gave</p> <p>11:43:54 10 that testimony -- let's start with the one</p> <p>11:43:56 11 on December 6th, 2004. That was, again,</p> <p>11:44:01 12 roughly ten months after the incident that</p> <p>11:44:05 13 we're here about today; is that correct?</p> <p>11:44:07 14 A. Yes.</p> <p>11:44:07 15 Q. From February to December of the</p> <p>11:44:10 16 same year?</p> <p>11:44:12 17 A. Yes.</p> <p>11:44:12 18 Q. And is it fair to say that your</p> <p>11:44:14 19 recollection of the event was fresher in</p> <p>11:44:17 20 December of 2004 than it is sitting here</p> <p>11:44:21 21 today?</p> <p>11:44:21 22 A. Yes.</p> <p>11:44:21 23</p>
14	16
<p>11:42:54 1 in this case earlier before the Walker</p> <p>11:42:57 2 County Personnel Board?</p> <p>11:42:58 3 A. Yes.</p> <p>11:42:59 4 Q. And you gave testimony on two</p> <p>11:43:02 5 different occasions; is that not correct?</p> <p>11:43:06 6 A. Yes.</p> <p>11:43:07 7 Q. All right. And those dates were</p> <p>11:43:09 8 December 6th, 2004 and March 7th, 2005?</p> <p>11:43:14 9 Would you agree with me on that?</p> <p>11:43:16 10 A. Yes.</p> <p>11:43:16 11 Q. Okay. You don't have any reason</p> <p>11:43:19 12 to dispute that those are the days, do you?</p> <p>11:43:29 13 A. No.</p> <p>11:43:29 14 Q. And do you remember both times</p> <p>11:43:29 15 when you gave testimony at the Personnel</p> <p>11:43:29 16 Board that you were under oath like you are</p> <p>11:43:30 17 here today?</p> <p>11:43:31 18 A. Yes.</p> <p>11:43:31 19 Q. Raised your right hand, swore to</p> <p>11:43:34 20 tell the --</p> <p>11:43:34 21 A. Yes.</p> <p>11:43:35 22 Q. -- truth? Let me finish my</p> <p>11:43:36 23 question. Is that correct?</p>	<p>11:44:21 1 (Whereupon, Defendant's Exhibit I was</p> <p>11:44:21 2 marked for identification and same</p> <p>11:44:21 3 is attached hereto.)</p> <p>11:44:22 4</p> <p>11:44:23 5 Q. Okay. We're going to admit at</p> <p>11:44:26 6 this time Defendant's Exhibit 1, which is</p> <p>11:44:27 7 the transcript of just your testimony</p> <p>11:44:30 8 before the Walker County Civil Service</p> <p>11:44:33 9 Board on December 6th, 2004. And we talked</p> <p>11:44:38 10 about, a minute ago, you gave testimony</p> <p>11:44:40 11 again before the Board on March 7th, 2005,</p> <p>11:44:43 12 correct?</p> <p>11:44:44 13 A. Yes.</p> <p>11:44:45 14 Q. All right. And at that time,</p> <p>11:44:47 15 again, you were under oath, right?</p> <p>11:44:49 16 A. Yes.</p> <p>11:44:50 17 Q. And the testimony that you gave</p> <p>11:44:52 18 was truthful, correct?</p> <p>11:44:54 19 A. Yes.</p> <p>11:44:55 20 Q. All right. And it was accurate</p> <p>11:44:56 21 to the best of your ability?</p> <p>11:44:57 22 A. To the best of my ability.</p> <p>11:44:59 23 Q. All right. Now, we're a little</p>

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<p>11:45:02 1 bit later. It's about a year and a month 11:45:04 2 after the incident in March of 2005, but is 11:45:08 3 it still fair to say that your recollection 11:45:11 4 of what happened in February 2004 was 11:45:13 5 fresher in March of 2005 than it is sitting 11:45:16 6 here in July of 2008? 11:45:22 7 A. Yes. 11:45:28 8 Q. And we'll admit Defendant's 11:45:31 9 Exhibit 2, which, again, is just your 11:45:32 10 testimony from the Personnel Board hearing 11:45:34 11 on March 7th, 2005. 12 13 (Whereupon, Defendant's Exhibit 2 was 14 marked for identification and same 15 is attached hereto.) 16 11:45:48 17 Q. And, again, just to be clear, 11:45:50 18 you were in here the entire time that Mr. 11:45:52 19 Burch was giving testimony earlier here 11:45:54 20 today, correct? 11:45:54 21 A. Yes. 11:45:55 22 Q. And you heard the list of 11:45:56 23 medications that he gave that he was taking</p>	<p>11:47:45 1 Q. So roughly July 2005? 11:47:48 2 A. To the best I can remember. 11:47:51 3 Q. Now, Mr. Burch just said 11:47:52 4 something a second ago about divorce 11:47:55 5 papers. Were y'all divorced? 11:47:57 6 A. Yes, after that. 11:47:59 7 Q. Okay. So you -- 11:48:01 8 A. We separated. 11:48:01 9 Q. You separated before the 11:48:04 10 divorce; is that right? 11:48:04 11 A. Yes. 11:48:06 12 Q. When was your divorce finalized? 11:48:16 13 A. I'm not sure. 11:48:19 14 Q. Do you have an estimate as to 11:48:21 15 how long after July 2005 it would have 11:48:23 16 been? 11:48:23 17 A. After we separated? 11:48:25 18 Q. Just your best guess. 11:48:29 19 A. It was about a year or 11:48:30 20 something. 11:48:31 21 Q. Okay. And what were the grounds 11:48:34 22 for the divorce? 11:48:37 23 A. Just incompatibility. We just</p>
18	20
<p>11:45:58 1 today; is that right? 11:45:59 2 A. Yes. 11:46:01 3 Q. Well, y'all don't live together 11:46:02 4 anymore, right? 11:46:03 5 A. No. 11:46:03 6 Q. So you have no way of knowing 11:46:05 7 what medications he's currently taking, do 11:46:08 8 you, other than what he said this morning? 11:46:11 9 A. Well, I saw his medication 11:46:15 10 bottles. 11:46:16 11 Q. Today? 11:46:17 12 A. Two of them. 11:46:18 13 Q. Okay. What were those two 11:46:20 14 medication bottles that you saw today? 11:46:24 15 A. Xanax and -- I don't know. 11:46:22 16 Q. Okay. This is probably a 11:46:26 17 question I should have asked you first. 11:46:27 18 When did y'all stop living together? 11:46:28 19 A. I'm not sure. At the very -- it 11:46:29 20 was in July of maybe 2005. I'm not 11:46:30 21 positive. 11:46:31 22 Q. 2005? 11:46:32 23 A. Yes. I'm not positive.</p>	<p>11:48:40 1 -- I mean, we just wound up talking about 11:48:45 2 this every night. 11:48:56 3 Q. Okay. Are you currently taking 11:49:04 4 any medication? 11:49:05 5 A. Yes. 11:49:05 6 Q. What medication do you take? 11:49:19 7 A. Diabetes. 11:49:19 8 Q. Is that insulin or a pill? 11:49:19 9 A. No, just a pill. High blood 11:49:20 10 pressure. I've got a list. 11:49:21 11 Q. Please, if you would. Oh, you 11:49:22 12 actually have a physical list? 11:49:23 13 A. Yes. 11:49:24 14 Q. Oh, okay. With you? 11:49:25 15 A. Yes. My purse, please. 11:49:26 16 Q. If you would show that to me. 11:49:27 17 A. Okay. Maybe I don't. 11:49:28 18 MR. PIAZZA: Is that it? 11:49:29 19 THE WITNESS: Yes. 11:49:30 20 MR. PIAZZA: Can I see that? 11:49:31 21 Just one page. 11:49:32 22 THE WITNESS: Okay. 11:49:33 23 MR. WILLFORD: Thank you.</p>

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21	<p>11:51:46 1 Q. Okay. I've been handed a list</p> <p>11:51:46 2 of medications that has one, two, three,</p> <p>11:51:47 3 four, five, six, seven, eight, nine, ten</p> <p>11:51:50 4 different medications on it. And I'm going</p> <p>11:51:54 5 to try to pronounce these and then I'll</p> <p>11:51:57 6 give them to the court reporter so that she</p> <p>11:52:01 7 can spell them correctly. Lisinopril,</p> <p>11:52:03 8 Hydrochlorothiazide, Klor, Niaspan,</p> <p>11:52:11 9 Metformin, Lortab, Naproxin, Seroquel,</p> <p>11:52:17 10 Zoloft, and Clonazepam. Have you taken all</p> <p>11:52:23 11 these medications today, Ms. Wilkerson?</p> <p>11:52:25 12 A. No.</p> <p>11:52:25 13 Q. Which ones have you taken today?</p> <p>11:52:28 14 A. One Lortab 7.5.</p> <p>11:52:30 15 Q. Okay. That's the only</p> <p>11:52:32 16 medication that you've taken today?</p> <p>11:52:34 17 A. Yes.</p> <p>11:52:35 18 Q. All right. And when did you</p> <p>11:52:36 19 take that Lortab?</p> <p>11:52:37 20 A. Seven o'clock.</p> <p>11:52:39 21 Q. This morning?</p> <p>11:52:39 22 A. Yes.</p> <p>11:52:41 23 Q. Okay. Is that Lortab affecting</p>	23	<p>11:54:08 1 EXAMINATION</p> <p>11:54:12 2 BY MR. PIAZZA:</p> <p>11:54:12 3 Q. Ms. Wilkerson, this list that</p> <p>11:54:16 4 you just handed to us which has listed all</p> <p>11:54:21 5 of your medications, are you currently take</p> <p>11:54:24 6 all of these medications?</p> <p>11:54:26 7 A. Yes.</p> <p>11:54:27 8 Q. And are these all prescribed by</p> <p>11:54:32 9 the same doctor or different doctors?</p> <p>11:54:33 10 A. I go to two doctors.</p> <p>11:54:36 11 Q. You go to two doctors? Which</p> <p>11:54:38 12 doctors do you go to?</p> <p>11:54:40 13 A. I go to the Jasper Family</p> <p>11:54:44 14 Clinic. I see a nurse practitioner named</p> <p>11:54:46 15 Kevin Grooms.</p> <p>11:54:47 16 Q. Kevin Grooms?</p> <p>11:54:48 17 A. Yes.</p> <p>11:54:58 18 Q. Now, Kevin Grooms doesn't have</p> <p>11:54:58 19 the authority to prescribe any of these</p> <p>11:55:01 20 medications?</p> <p>11:55:03 21 A. Yes, some of them.</p> <p>11:55:05 22 Q. He would?</p> <p>11:55:05 23 A. Yes.</p>
22	<p>11:52:45 1 your ability to understand my questions?</p> <p>11:52:48 2 A. No.</p> <p>11:52:49 3 Q. Is it affecting your ability to</p> <p>11:52:51 4 answer my questions?</p> <p>11:52:52 5 A. No.</p> <p>11:52:52 6 Q. Okay. We'll give this back to</p> <p>11:52:58 7 you. I'm just going to set it over here so</p> <p>11:53:00 8 that she can get the spelling. Those</p> <p>11:53:03 9 things can be tricky sometimes.</p> <p>11:53:08 10 Okay. Let me go back to</p> <p>11:53:08 11 Defendant's Exhibit 1 and 2. Again, you</p> <p>11:53:11 12 were in here when Mr. Burch was testifying,</p> <p>11:53:13 13 and there were some things that he wanted</p> <p>11:53:14 14 to change about his testimony before the</p> <p>11:53:17 15 personnel board, and I gave him an</p> <p>11:53:19 16 opportunity to do that. Is there anything</p> <p>11:53:21 17 in either Defendant's 1 or 2 that, sitting</p> <p>11:53:30 18 here today, you need to change?</p> <p>11:53:35 19 A. No.</p> <p>11:53:38 20 MR. WILLFORD: Okay. I think</p> <p>11:54:02 21 that's all the questions I have.</p> <p>11:54:05 22 MR. PIAZZA: Let me see that</p> <p>11:54:08 23 list.</p>	24	<p>11:55:06 1 Q. Okay. And what do you go there</p> <p>11:55:09 2 for, Jasper Family Clinic?</p> <p>11:55:11 3 A. My diabetes, my blood pressure.</p> <p>11:55:18 4 Q. How long have you been going</p> <p>11:55:20 5 there? Let me rephrase that. Were you</p> <p>11:55:31 6 going there before the incident that we're</p> <p>11:55:32 7 here on today?</p> <p>11:55:33 8 A. Yes.</p> <p>11:55:33 9 Q. And have you continued to go</p> <p>11:55:35 10 there after the incident?</p> <p>11:55:36 11 A. Yes.</p> <p>11:55:38 12 Q. And your diabetes and your blood</p> <p>11:55:43 13 pressure. Is there anything else they</p> <p>11:55:45 14 treat you for?</p> <p>11:55:46 15 A. That's mainly it at the family</p> <p>11:55:55 16 clinic.</p> <p>11:55:56 17 Q. Okay. And where else do you go?</p> <p>11:55:58 18 A. Lorn Miller.</p> <p>11:56:03 19 Q. And what does Dr. Miller treat</p> <p>11:56:06 20 you for?</p> <p>11:56:10 21 A. Nerve damage and depression and</p> <p>11:56:31 22 my mental -- just my mental status.</p> <p>11:56:34 23 Q. Okay. And how long have you</p>

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<p>11:56:44 1 been going to Dr. Miller -- let me rephrase</p> <p>11:56:55 2 that. Were you going to Dr. Miller prior</p> <p>11:56:56 3 to the incident?</p> <p>11:56:58 4 A. Yes.</p> <p>11:56:59 5 Q. Have you continued to go to Dr.</p> <p>11:57:00 6 Miller after the incident?</p> <p>11:57:10 7 MR. PIAZZA: Do we need to take</p> <p>11:57:10 8 a break?</p> <p>11:57:11 9 MR. WILLFORD: I think you need</p> <p>11:57:12 10 to talk to your client, because he's</p> <p>11:57:15 11 signaling me.</p> <p>11:57:16 12 MR. PIAZZA: Can we go off for a</p> <p>11:57:18 13 second?</p> <p>11:59:21 14</p> <p>11:59:21 15 (Whereupon, a brief recess was</p> <p>11:59:21 16 taken.)</p> <p>11:59:21 17</p> <p>11:59:45 18 Q. We were talking about Dr.</p> <p>11:59:48 19 Miller, and you continue to see Dr. Miller</p> <p>11:59:50 20 after this incident, correct?</p> <p>11:59:52 21 A. Yes.</p> <p>11:59:53 22 Q. Were you being treated for nerve</p> <p>11:59:57 23 damage prior to the incident we're here on</p>	<p>12:00:51 1 we're here on today, did any of these</p> <p>12:00:53 2 conditions get worse? I'll ask you that</p> <p>12:00:57 3 first.</p> <p>12:00:58 4 A. Yes.</p> <p>12:00:59 5 Q. Were they aggravated by the</p> <p>12:01:00 6 incident?</p> <p>12:01:01 7 A. Yes.</p> <p>12:01:01 8 Q. And if so, how?</p> <p>12:01:03 9 A. My nerves, my mental condition</p> <p>12:01:08 10 got worse, and, therefore, it caused a</p> <p>12:01:13 11 chain reaction.</p> <p>12:01:15 12 Q. In other words, your blood</p> <p>12:01:17 13 pressure --</p> <p>12:01:17 14 A. Diabetes.</p> <p>12:01:19 15 Q. -- got worse and your diabetes</p> <p>12:01:21 16 got worse?</p> <p>12:01:22 17 A. Yes.</p> <p>12:01:22 18 Q. Did you have to change or alter</p> <p>12:01:24 19 or take any new medications as a result of</p> <p>12:01:29 20 the incident we're here on today?</p> <p>12:01:32 21 A. Yes.</p> <p>12:01:34 22 Q. Okay. Are any of these</p> <p>12:01:38 23 medications as a result of -- that you're</p>
26	28
<p>11:59:59 1 today?</p> <p>11:59:59 2 A. Yes.</p> <p>12:00:00 3 Q. What about depression, the same</p> <p>12:00:04 4 question?</p> <p>12:00:04 5 A. Yes.</p> <p>12:00:06 6 Q. And what about your mental --</p> <p>12:00:09 7 your general mental state, was he treating</p> <p>12:00:12 8 you for that prior to the incident today --</p> <p>12:00:17 9 prior to the incident that we're here on</p> <p>12:00:27 10 today? Excuse me.</p> <p>12:00:27 11 A. Yes.</p> <p>12:00:27 12 Q. And were you being treated for</p> <p>12:00:27 13 diabetes and blood pressure by Jasper</p> <p>12:00:29 14 Family Clinic prior to the incident we're</p> <p>12:00:31 15 here on today?</p> <p>12:00:32 16 A. Yes.</p> <p>12:00:33 17 Q. Okay. And you've been</p> <p>12:00:36 18 continually treated by these clinics after</p> <p>12:00:40 19 the incident for the same mental or</p> <p>12:00:43 20 physical conditions?</p> <p>12:00:45 21 A. Yes.</p> <p>12:00:46 22 Q. Is that correct? Okay. All</p> <p>12:00:48 23 right. As a result of the incident that</p>	<p>12:01:44 1 taking today as a result of the incident</p> <p>12:01:47 2 that we're here on today?</p> <p>12:01:48 3 A. The Zoloft and Seroquel.</p> <p>12:01:51 4 Q. Zoloft and Seroquel?</p> <p>12:01:54 5 A. Yes.</p> <p>12:01:55 6 Q. So you were not taking those</p> <p>12:01:58 7 prior to the incident?</p> <p>12:01:59 8 A. No.</p> <p>12:01:59 9 Q. Prior to February 16, 2004?</p> <p>12:02:02 10 A. No.</p> <p>12:02:03 11 Q. Are there any other medications</p> <p>12:02:08 12 which you were not taking or you were</p> <p>12:02:11 13 taking less of prior to the incident?</p> <p>12:02:15 14 A. No.</p> <p>12:02:16 15 Q. Okay. So all the other</p> <p>12:02:17 16 medications you've got listed here, you</p> <p>12:02:20 17 were taking prior to the incident?</p> <p>12:02:22 18 A. Well, no.</p> <p>12:02:24 19 Q. All right.</p> <p>12:02:26 20 A. I wasn't taking that</p> <p>12:02:27 21 (indicating). I wasn't taking that</p> <p>12:02:29 22 (indicating).</p> <p>12:02:29 23 Q. Can you say those out loud for</p>

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<p>12:02:32 1 the record?</p> <p>12:02:32 2 A. I don't know what the name of</p> <p>12:02:33 3 them are.</p> <p>12:02:33 4 Q. Go ahead and pronounce these.</p> <p>12:02:36 5 You weren't taking the first one here,</p> <p>12:02:43 6 Lisin -- how do you pronounce that?</p> <p>12:02:44 7 Lisinopril?</p> <p>12:02:44 8 A. These are generic names for</p> <p>12:02:46 9 other medications.</p> <p>12:02:49 10 Q. All right. Why don't we do</p> <p>12:02:51 11 this: Why don't we make this an exhibit</p> <p>12:02:56 12 and put a number by each of these and that</p> <p>12:02:59 13 way we can refer to them by numbers.</p> <p>12:02:59 14</p> <p>12:02:59 15 (Whereupon, a brief recess was</p> <p>12:02:59 16 taken.)</p> <p>12:02:59 17</p> <p>12:04:22 18 Q. All right. Ms. Wilkerson, I'm</p> <p>12:04:23 19 going to mark this Plaintiff's Exhibit 74,</p> <p>12:04:25 20 which you have described as a list of</p> <p>12:04:27 21 medications that you are taking today; is</p> <p>12:04:31 22 that correct?</p> <p>12:04:31 23 A. Yes.</p>	<p>12:05:29 1 you started taking after February 16th of</p> <p>12:05:32 2 2004. If you would just put a star to the</p> <p>12:05:35 3 left side of those.</p> <p>12:05:53 4 A. (Witness complies.)</p> <p>12:05:53 5 Q. All right. And you've put a</p> <p>12:05:53 6 star to the left of Seroquel and Zoloft?</p> <p>12:05:54 7 A. Yes.</p> <p>12:05:55 8 Q. Is that correct?</p> <p>12:05:57 9 A. Yes.</p> <p>12:05:57 10 Q. What do you take the Zoloft for?</p> <p>12:06:02 11 A. For depression.</p> <p>12:06:05 12 Q. All right. And what do you take</p> <p>12:06:07 13 the Seroquel for?</p> <p>12:06:11 14 A. For my mental state, status.</p> <p>12:06:14 15 Q. For your mental state. All</p> <p>12:06:18 16 right. And you were not taking either of</p> <p>12:06:20 17 those medications prior to February 16th of</p> <p>12:06:22 18 2004?</p> <p>12:06:23 19 A. No.</p> <p>12:06:24 20 Q. Now, as to these other</p> <p>12:06:27 21 medications, were you taking lower dosages</p> <p>12:06:32 22 of any of the other medications listed on</p> <p>12:06:35 23 this exhibit than you're taking today,</p>
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<p>12:04:31 1 (Whereupon, Plaintiff's Exhibit 74</p> <p>12:04:31 2 was marked for identification and</p> <p>12:04:31 3 same is attached hereto.)</p> <p>12:04:33 4</p> <p>12:04:33 5 Q. Okay. When I say taking today,</p> <p>12:04:36 6 I mean taking as of July the 10th, 2008?</p> <p>12:04:42 7 A. Yes.</p> <p>12:04:43 8 Q. Okay. What I'm going to do is</p> <p>12:04:45 9 ask you to put a star on the left side of</p> <p>12:04:49 10 these medications of those medications that</p> <p>12:04:54 11 you were not taking or that you have been</p> <p>12:05:00 12 prescribed since the incident that we're</p> <p>12:05:02 13 here about today. Do you understand my</p> <p>12:05:05 14 question?</p> <p>12:05:06 15 A. Yes.</p> <p>12:05:08 16 Q. Or which you're taking as a</p> <p>12:05:11 17 result of the incident we're here on today.</p> <p>12:05:17 18 Do you understand my question?</p> <p>12:05:26 19 MR. WILLFORD: I'm going to</p> <p>12:05:26 20 object to the form because you gave her two</p> <p>12:05:26 21 different criteria.</p> <p>12:05:26 22 Q. Okay. Let's start with all the</p> <p>12:05:26 23 medications that you're taking today that</p>	<p>12:06:44 1 prior to February 16th, 2004?</p> <p>12:06:50 2 A. There's medication on here that</p> <p>12:06:52 3 I wasn't taking before, but the main two</p> <p>12:06:59 4 that had a result of this incident was</p> <p>12:07:01 5 those two, Seroquel and Zoloft.</p> <p>12:07:04 6 Q. All right. What other two that</p> <p>12:07:06 7 you weren't taking before, or what other</p> <p>12:07:13 8 ones were you referring to?</p> <p>12:07:16 9 A. This one.</p> <p>12:07:17 10 Q. Hydrochlorothiazide?</p> <p>12:07:19 11 A. Uh-huh (positive response), and</p> <p>12:07:21 12 that one.</p> <p>12:07:22 13 Q. And Klor-Con?</p> <p>12:07:23 14 A. Uh-huh (positive response).</p> <p>12:07:24 15 Q. These two?</p> <p>12:07:25 16 A. Uh-huh (positive response).</p> <p>12:07:26 17 Q. You weren't taking either of</p> <p>12:07:29 18 those prior to February 16th, 2004?</p> <p>12:07:30 19 A. Huh-uh (negative response).</p> <p>12:07:31 20 Q. All right. Would you put a star</p> <p>12:07:33 21 by those two?</p> <p>12:07:35 22 A. (Witness complies.)</p> <p>12:07:36 23 Q. All right. Let's start with</p>

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33	<p>12:07:38 1 this one. What do you take the</p> <p>12:07:39 2 Hydrochlorothiazide for?</p> <p>12:07:42 3 MR. WILLFORD: Anthony, let me</p> <p>12:07:44 4 suggest something just to keep the record</p> <p>12:07:47 5 clear, because she said these two weren't a</p> <p>12:07:49 6 result of what Deputy Ingle did. Could we</p> <p>12:07:53 7 put a circle around those stars to</p> <p>12:07:56 8 differentiate?</p> <p>12:07:57 9 MR. PIAZZA: Let me clarify</p> <p>12:07:58 10 that.</p> <p>12:07:58 11 MR. WILLFORD: Just so it's</p> <p>12:07:59 12 clear on the document. I know the</p> <p>12:08:01 13 testimony is going to back it up.</p> <p>12:08:03 14 MR. PIAZZA: I'm not sure she</p> <p>12:08:04 15 said that. Can you go back and repeat --</p> <p>12:08:05 16 can you tell me what she said, her</p> <p>12:08:06 17 testimony?</p> <p>12:08:06 18</p> <p>12:08:27 19 (Whereupon, record read.)</p> <p>12:08:27 20</p> <p>12:08:27 21 Q. Okay. So these are the main two</p> <p>12:08:29 22 that were a result of the incident?</p> <p>12:08:31 23 A. Yes.</p>	35	<p>12:09:44 1 A. No.</p> <p>12:09:56 2 Q. And do you -- was your blood</p> <p>12:09:58 3 pressure and your fluid -- were you taking</p> <p>12:10:01 4 blood pressure medication prior to the</p> <p>12:10:03 5 incident with Derane Ingle? I'm not</p> <p>12:10:15 6 necessarily referring to this medication,</p> <p>12:10:17 7 but a different medication?</p> <p>12:10:21 8 A. No, not on a daily basis. I</p> <p>12:10:24 9 have over the years.</p> <p>12:10:26 10 Q. All right. What were you taking</p> <p>12:10:30 11 prior to the incident with Derane Ingle for</p> <p>12:10:33 12 your blood pressure?</p> <p>12:10:37 13 A. None, nothing.</p> <p>12:10:41 14 Q. You weren't taking any</p> <p>12:10:43 15 medication for your blood pressure prior to</p> <p>12:10:46 16 the incident with Derane Ingle?</p> <p>12:10:48 17 A. Right.</p> <p>12:10:48 18 Q. But your testimony today is that</p> <p>12:10:52 19 your blood pressure was aggravated?</p> <p>12:10:57 20 MR. WILLFORD: Object to the</p> <p>12:10:58 21 form.</p> <p>12:10:58 22 Q. Did your blood pressure increase</p> <p>12:11:01 23 or did you begin to have problems with your</p>
34	<p>12:08:31 1 Q. Now, is that to say that these</p> <p>12:08:36 2 -- maybe they were not the main two</p> <p>12:08:38 3 medications, but are these two medications</p> <p>12:08:41 4 also the result of this incident? Let me</p> <p>12:08:47 5 ask you this way: What do you take the</p> <p>12:08:50 6 Hydrochlorothiazide for?</p> <p>12:09:01 7 A. I believe it's a blood pressure</p> <p>12:09:05 8 pill.</p> <p>12:09:05 9 Q. A blood pressure pill?</p> <p>12:09:07 10 A. Uh-huh (positive response).</p> <p>12:09:07 11 Q. What do you take the Klor-Con</p> <p>12:09:09 12 for?</p> <p>12:09:11 13 A. I'm not certain of these, but</p> <p>12:09:17 14 they are both for blood pressure and fluid,</p> <p>12:09:35 15 I think.</p> <p>12:09:35 16 Q. Blood pressure and fluid?</p> <p>12:09:35 17 A. I believe so.</p> <p>12:09:35 18 Q. Okay. And you weren't taking</p> <p>12:09:35 19 either one of these prior to the incident</p> <p>12:09:37 20 with Derane Ingle?</p> <p>12:09:38 21 A. Huh-uh (negative response).</p> <p>12:09:39 22 MR. WILLFORD: Was that a no?</p> <p>12:09:41 23 You said huh-uh. Was that a no?</p>	36	<p>12:11:04 1 blood pressure after the incident with</p> <p>12:11:05 2 Derane Ingle?</p> <p>12:11:07 3 MR. WILLFORD: Object to the</p> <p>12:11:07 4 form.</p> <p>12:11:11 5 A. Yes.</p> <p>12:11:12 6 Q. Did you begin to have to take</p> <p>12:11:16 7 medication for your blood pressure as a</p> <p>12:11:19 8 result of the incident with Derane Ingle?</p> <p>12:11:22 9 A. Yes.</p> <p>12:11:26 10 Q. What were you taking the Lortab</p> <p>12:11:33 11 for?</p> <p>12:11:35 12 A. For my nerve damage in my left</p> <p>12:11:39 13 leg and back.</p> <p>12:11:42 14 Q. And the Naproxen?</p> <p>12:11:44 15 A. That's for nerve damage.</p> <p>12:11:46 16 Q. And the Metformin?</p> <p>12:11:48 17 A. Sugar, diabetes.</p> <p>12:11:50 18 Q. Were you taking any type of</p> <p>12:11:52 19 diabetes medication prior to the incident</p> <p>12:11:55 20 with Derane Ingle?</p> <p>12:11:57 21 A. Yes.</p> <p>12:11:57 22 Q. What were you taking?</p> <p>12:12:00 23 A. Metformin.</p>

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<p>12:12:01 1 Q. Metformin?</p> <p>12:12:03 2 A. Uh-huh (positive response).</p> <p>12:12:03 3 Q. Five hundred milligrams?</p> <p>12:12:05 4 A. Yes.</p> <p>12:12:05 5 Q. So you've been taking that --</p> <p>12:12:07 6 A. Yeah.</p> <p>12:12:08 7 Q. -- before and after the incident</p> <p>12:12:11 8 with Derane Ingle?</p> <p>12:12:13 9 A. Yes.</p> <p>12:12:1310 Q. Okay. That's what it is today,</p> <p>12:12:1711 the five hundred milligrams; is that</p> <p>12:12:1912 correct?</p> <p>12:12:1913 A. Yes.</p> <p>12:12:2014 Q. And that has not changed?</p> <p>12:12:2215 A. No.</p> <p>12:12:2316 Q. What about the Niaspan, what do</p> <p>12:12:2817 you take it for?</p> <p>12:12:2918 A. For my nerve damage.</p> <p>12:12:3119 Q. So you take the Lortab, Naproxen</p> <p>12:12:3420 and the Niaspan for nerve damage?</p> <p>12:12:3821 A. Yes.</p> <p>12:12:3922 Q. And were you taking those prior</p> <p>12:12:4023 to the incident also?</p>	<p>12:13:48 1 Q. Any other doctors you've seen</p> <p>12:13:50 2 other than Jasper Family Clinic and Dr.</p> <p>12:13:53 3 Lorn Miller for any type of medication</p> <p>12:13:57 4 treatment as a result of the incident made</p> <p>12:13:59 5 the basis of this suit?</p> <p>12:14:01 6 A. No.</p> <p>12:14:04 7 MR. PIAZZA: Gary, I think</p> <p>12:14:05 8 that's all I've got.</p> <p>12:14:05 9</p> <p>12:14:0510 RE-EXAMINATION</p> <p>12:14:0511 BY MR. WILLFORD:</p> <p>12:14:0712 Q. I've got some follow-up, Ms.</p> <p>12:14:0913 Wilkerson. When were you first prescribed</p> <p>12:14:1114 Zolof?</p> <p>12:14:1515 A. This year.</p> <p>12:14:2916 Q. 2008?</p> <p>12:14:3117 A. Yes.</p> <p>12:14:3218 Q. Who was it that prescribed that</p> <p>12:14:3419 for you?</p> <p>12:14:3620 A. Lorn Miller.</p> <p>12:14:4121 Q. And when were you first</p> <p>12:14:4322 prescribed Seroquel?</p> <p>12:14:5923 A. After this incident, I'm sure.</p>
38	40
<p>12:12:51 1 A. Yes.</p> <p>12:12:51 2 Q. And when I say incident, with</p> <p>12:12:51 3 Derane Ingle I'm referring?</p> <p>12:12:53 4 A. Yes.</p> <p>12:12:55 5 Q. So tell me about your nerve</p> <p>12:12:57 6 damage.</p> <p>12:13:01 7 A. It's in my back, and it goes</p> <p>12:13:04 8 down my left leg.</p> <p>12:13:05 9 Q. Okay. So you've had that for a</p> <p>12:13:0710 long time?</p> <p>12:13:0811 A. Yes.</p> <p>12:13:1112 Q. Did it get worse after the</p> <p>12:13:1313 incident with Derane Ingle?</p> <p>12:13:1614 A. No, it didn't affect it.</p> <p>12:13:2015 Q. Okay. And did you tell us what</p> <p>12:13:2316 the first medication up here is,</p> <p>12:13:3117 Lisinopril?</p> <p>12:13:3118 A. I'm not certain.</p> <p>12:13:3319 Q. You don't know what that one is?</p> <p>12:13:3420 A. Huh-uh (negative response).</p> <p>12:13:4821 That's a generic for one of my other</p> <p>12:13:4822 medicines. I don't -- right now, I'm not</p> <p>12:13:4823 aware of what it is.</p>	<p>12:15:02 1 Q. How long after it?</p> <p>12:15:04 2 A. I'm not sure.</p> <p>12:15:05 3 Q. Was it a matter of months?</p> <p>12:15:18 4 A. Yes.</p> <p>12:15:18 5 Q. Okay. More than five?</p> <p>12:15:20 6 A. I'm not sure.</p> <p>12:15:21 7 Q. Okay. And who was it that</p> <p>12:15:23 8 prescribed the Seroquel for you?</p> <p>12:15:26 9 A. Dr. Miller.</p> <p>12:15:3910 Q. Are you prescribed Seroquel as a</p> <p>12:15:3911 sleep aid?</p> <p>12:15:4112 A. Yes, and mental.</p> <p>12:15:5113 Q. So you have problems sleeping;</p> <p>12:15:5414 is that true?</p> <p>12:15:5515 A. Yeah, after this happened. I</p> <p>12:15:5816 didn't before.</p> <p>12:15:5817 Q. You never had problems sleeping</p> <p>12:16:0018 prior to this incident?</p> <p>12:16:0219 A. I don't believe so.</p> <p>12:16:0720 Q. Okay. But you did have problems</p> <p>12:16:1021 prior to this incident with your blood</p> <p>12:16:1222 pressure, correct?</p> <p>12:16:1323 A. No.</p>

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42	<p>12:17:24 1 A. The last surgery --</p> <p>12:17:30 2 MR. PIAZZA: That's probably</p> <p>12:17:31 3 going to be in the medical records, too.</p> <p>12:17:33 4 A. It will, I guess.</p> <p>12:17:34 5 Q. Was it in the '90s? Was the</p> <p>12:17:37 6 surgery in the '90s?</p> <p>12:17:41 7 A. No. I think it was in the</p> <p>12:17:45 8 2000s, the last surgery I had. When I get</p> <p>12:17:49 9 sick, my blood pressure goes up real high,</p> <p>12:17:52 10 and I'm on medication. And then when I</p> <p>12:17:55 11 have my surgeries done, you know, I don't</p> <p>12:17:57 12 have to take it.</p> <p>12:17:58 13 Q. Okay. Now you've said a couple</p> <p>12:18:00 14 of times now when you get sick. What is</p> <p>12:18:03 15 the sickness that you're referring to?</p> <p>12:18:05 16 A. I had tumors in '83, and I had</p> <p>12:18:12 17 to have a hysterectomy. My blood pressure</p> <p>12:18:15 18 was high during that time. In like maybe</p> <p>12:18:24 19 -- I'm not certain of the date. Maybe 2000</p> <p>12:18:34 20 and something I had to have kidney surgery.</p> <p>12:18:36 21 Q. So when you say when you get</p> <p>12:18:38 22 sick, you're talking about different kinds</p> <p>12:18:40 23 of medical problems, correct?</p>	44	<p>12:19:30 1 2001; is that correct?</p> <p>12:19:33 2 A. Yes.</p> <p>12:19:50 3 MR. WILLFORD: All right. I</p> <p>12:19:50 4 think that's all I've got.</p> <p>12:19:50 5 MR. PIAZZA: I think I need to</p> <p>12:19:51 6 clarify something, Gary.</p> <p>12:19:52 7 MR. WILLFORD: Okay.</p> <p>12:19:52 8</p> <p>12:19:52 9 RE-EXAMINATION</p> <p>12:19:59 10 BY MR. PIAZZA:</p> <p>12:19:59 11 Q. You said after your last surgery</p> <p>12:20:01 12 you didn't have to take blood pressure</p> <p>12:20:03 13 medication?</p> <p>12:20:04 14 A. Right.</p> <p>12:20:04 15 Q. Until after this incident?</p> <p>12:20:06 16 A. Right.</p> <p>12:20:07 17 Q. Is that correct?</p> <p>12:20:09 18 A. Correct.</p> <p>12:20:10 19 Q. Okay. But you had to take it up</p> <p>12:20:14 20 to your last surgery, which was sometime</p> <p>12:20:17 21 after 2000? I'm talking about just the</p> <p>12:20:22 22 blood pressure medication, right?</p> <p>12:20:24 23 A. Yes. After surgery, no.</p>

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45	<p>12:20:26 1 Q. Okay. And do you take anything</p> <p>12:20:31 2 to control your weight?</p> <p>12:20:35 3 A. I have took different</p> <p>12:20:36 4 medications.</p> <p>12:20:37 5 Q. Are any of these medications</p> <p>12:20:40 6 that are listed on Exhibit 74, any of those</p> <p>12:20:44 7 to control your weight?</p> <p>12:20:48 8 A. No. I take Lipozene for that.</p> <p>12:20:57 9 Q. You take what?</p> <p>12:20:58 10 A. Lipozene.</p> <p>12:20:59 11 Q. Is that listed on this Exhibit</p> <p>12:21:01 12 74?</p> <p>12:21:01 13 A. No, it's not.</p> <p>12:21:02 14 Q. Did you forget to put it on this</p> <p>12:21:04 15 list?</p> <p>12:21:04 16 A. No. This is my prescribed</p> <p>12:21:06 17 medicine from my two doctors. I take that</p> <p>12:21:10 18 medicine -- my doctor knows about it, but I</p> <p>12:21:13 19 take it on my own over-the-counter.</p> <p>12:21:16 20 Q. It's an over-the-counter?</p> <p>12:21:17 21 A. Yes.</p> <p>12:21:18 22 Q. It's called Lipozene?</p> <p>12:21:20 23 A. Uh-huh (positive response).</p>	47	<p>12:22:25 1 taking that up to February or on February</p> <p>12:22:25 2 16th, 2004?</p> <p>12:22:25 3 A. No, I had stopped.</p> <p>12:22:26 4 Q. You had stopped?</p> <p>12:22:27 5 A. Uh-huh (positive response).</p> <p>12:22:29 6 Q. And did you begin taking it</p> <p>12:22:39 7 again after February 16th, 2004?</p> <p>12:22:40 8 A. No.</p> <p>12:22:40 9 Q. Did you experience a weight</p> <p>12:22:42 10 increase after February 16th, 2004?</p> <p>12:22:44 11 A. Oh, yes, yes.</p> <p>12:22:56 12 Q. Did you begin taking any</p> <p>12:22:56 13 medication to control your weight increase</p> <p>12:22:57 14 after February 16th, 2004, other than this</p> <p>12:23:02 15 Lipozene?</p> <p>12:23:03 16 A. No.</p> <p>12:23:11 17 MR. PIAZZA: All right. I think</p> <p>12:23:12 18 that's all, Gary.</p> <p>12:23:13 19 MR. WILLFORD: I have nothing</p> <p>12:23:15 20 further.</p> <p>21</p> <p>22</p> <p>23 FURTHER DEPONENT SAITH NOT</p>
46	<p>12:21:22 1 Q. And you take that to help with</p> <p>12:21:24 2 your weight?</p> <p>12:21:25 3 A. Yes.</p> <p>12:21:27 4 Q. How long have you been taking</p> <p>12:21:30 5 it?</p> <p>12:21:37 6 A. About six months.</p> <p>12:21:38 7 Q. Six months?</p> <p>12:21:39 8 A. Yeah -- or, no, a year or</p> <p>12:21:42 9 something. I'm not sure.</p> <p>12:21:53 10 Q. Were you taking anything for</p> <p>12:21:54 11 your weight prior to the incident we're</p> <p>12:21:57 12 here on today?</p> <p>12:22:00 13 A. Yes.</p> <p>12:22:01 14 Q. What were you taking?</p> <p>12:22:05 15 A. Stackers 2s.</p> <p>12:22:09 16 Q. Stackers?</p> <p>12:22:09 17 A. Uh-huh (positive response).</p> <p>12:22:10 18 Q. What is that?</p> <p>12:22:11 19 A. It's a diet medication.</p> <p>12:22:12 20 Q. Is that an over-the-counter diet</p> <p>12:22:15 21 medication?</p> <p>12:22:15 22 A. Yes.</p> <p>12:22:25 23 Q. And did you take -- were you</p>	48	<p>1 CERTIFICATE</p> <p>2</p> <p>3 STATE OF ALABAMA)</p> <p>4 JEFFERSON COUNTY)</p> <p>5</p> <p>6 I HEREBY CERTIFY that the</p> <p>7 above and foregoing transcript was taken</p> <p>8 down by me in stenotype, and the questions</p> <p>9 and answers thereto were transcribed by</p> <p>10 means of computer-aided transcription, and</p> <p>11 that the foregoing represents a true and</p> <p>12 correct transcript of the testimony given</p> <p>13 by said witness.</p> <p>14 I FURTHER CERTIFY that I am</p> <p>15 neither of counsel, nor of any relation to</p> <p>16 the parties to the action, nor am I anywise</p> <p>17 interested in the result of said cause.</p> <p>18</p> <p>19</p> <p>20</p> <p>21 TANYA D. CORNELIUS</p> <p>22 CCR No. 378</p> <p>23</p>

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<p style="text-align: center;">A</p> <p>ability 15:7,8 16:21,22 22:1 22:3 accurate 7:16 15:6 16:20 acting 5:3 action 48:16 address 6:11 admit 16:5 17:8 adult 8:5 9:12 9:23 10:7 11:14,19 12:5 12:11,13,16,21 affect 38:14 age 8:6 aggravated 27:5 35:19 ago 16:10 19:4 agree 14:9 AGREED 1:13 1:23 2:7,16 ahead 29:4 aid 40:11 al 1:6,9 Alabama 1:2,20 4:7,13 5:8 6:9 8:7 11:17 12:22 48:3 alter 27:18 Ann 6:5 9:8 answer 22:4 answers 48:9 Anthony 4:5 33:3 Anybody 10:18 anymore 6:14 18:4 43:10 anywise 48:16 Apartment 6:9 approach 9:2 Arlene 10:16 11:13 asked 6:21</p>	<p>18:17 assign 2:11 attached 16:3 17:15 30:3 aunts 10:12 11:10 authority 23:19 Avenue 1:19 4:6 5:8 aware 38:23 a.m 5:9</p> <p style="text-align: center;">B</p> <p>B 3:8 back 22:6,10 33:13,15 36:13 38:7 41:7 BARRON 1:6 Basically 8:10 basis 35:8 39:5 41:4 beginning 5:9 believe 11:16 34:7,17 40:19 best 15:6,8 16:21,22 19:2 19:18 41:18,22 better 43:19 Birmingham 1:20 4:7 5:8 bit 17:1 blood 20:9 24:3 24:12 26:13 27:12 34:7,9 34:14,16 35:2 35:4,12,15,19 35:22 36:1,7 40:21 41:2,5,8 41:14 42:9,17 43:15,21 44:12 44:22 board 3:12,16 14:2,16 16:9 16:11 17:10</p>	<p>22:15 bottles 18:10,14 break 25:8 breaking 7:12 brief 25:15 29:15 brothers 10:9 Burch 4:16 6:11 6:17 17:19 19:3 22:12</p> <p style="text-align: center;">C</p> <p>C 4:1 48:1,1 called 45:22 Carbon 6:9 case 1:5 14:1 cause 5:10 48:17 caused 27:10 CCR 48:22 certain 34:13 38:18 42:19 Certified 1:17 5:2 certify 5:3 48:6 48:14 chain 27:11 change 22:14,18 27:18 changed 37:14 children 8:20 9:12,13,23 10:7 11:14,19 12:5,11,14 children's 9:3 Christy 9:6,15 church 13:2 circle 33:7 civic 13:4 Civil 3:12,16 5:5 16:8 clarify 33:9 44:6 clear 17:17 33:5 33:12 client 25:10</p>	<p>clinic 23:14 24:2 24:16 26:14 39:2 clinics 26:18 Clonazepam 21:10 close 8:23 Commissioner 2:17 5:3 compliance 2:3 complies 31:4 32:22 computer-aided 48:10 condition 27:9 conditions 26:20 27:2 continually 26:18 continue 25:19 continued 24:9 25:5 control 45:2,7 47:13 Cornelius 1:17 5:1 48:21 correct 6:18 7:1 14:5,23 15:4 15:13 16:12,18 17:20 25:20 26:22 29:22 31:8 37:12 40:22 42:23 44:1,17,18 48:12 correctly 21:7 counsel 1:15 2:8 2:10 5:6 48:15 County 3:13,17 8:10,11,13,15 8:19 13:18 14:2 16:8 48:4 couple 42:13 court 1:1,19 2:4</p>	<p>5:7 7:15 21:6 criteria 30:21 currently 18:7 20:3 23:5</p> <p style="text-align: center;">D</p> <p>D 1:17 3:1 5:1 48:21 daily 35:8 damage 24:21 25:23 36:12,15 37:18,20 38:6 date 5:4 41:19 42:19 dates 14:7 day 1:20 43:17 days 14:12 deceased 8:23 December 14:8 15:11,15,20 16:9 DEFENDANT 4:9 Defendants 1:10 Defendant's 3:9 16:1,6 17:8,13 22:11,17 department 13:22 Deponent 3:11 3:15 47:23 deposed 6:17 deposition 1:15 2:1,2,13,17 depositions 2:5 depression 24:21 26:3 31:11 Deputy 33:6 Derane 1:9 34:20 35:5,11 35:16 36:2,8 36:20 37:8 38:3,13</p>
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